

UNITED STATES U.S. DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

RINALDO RIZZO,

Plaintiff,

-against-

DF LAND LLC, GLENN DUBIN,
Individually, EVA DUBIN, *Individually*,
and BRENDA AMES, *Individually*,

Defendants.

Case No. 13 Civ. 8664 (AKH)

ECF CASE

NOTICE OF MOTION

TO: Edward J. Kennedy
Phillips & Associates
45 Broadway, Suite 620
New York, NY 10006

PLEASE TAKE NOTICE that on May 19, 2014, the undersigned attorneys for the defendants DF Land LLC, Glenn Dubin, Eva Dubin, and Brenda Ames (the “Defendants”) will apply before the Honorable Judge Alvin K. Hellerstein of the Southern District of New York at the United States Courthouse, 500 Pearl Street, New York, New York, in Courtroom 14D, for an Order pursuant to Federal Rule of Civil Procedure Rules 12(c) dismissing the Complaint for failure to state a claim and for such other and further relief as the Court may deem just and proper. In support of this motion, Defendants rely upon the accompanying Memorandum of Law.

PLEASE TAKE FURTHER NOTICE that, pursuant to the Court's Pretrial Conference order, answering papers, if any, are to be filed and served by May 9, 2014, and reply papers, if any, are to be filed and served by May 16, 2014.

Dated: New York, New York
April 18, 2014

VEDDER PRICE P.C.

By: s/ Lyle S. Zuckerman
Lyle S. Zuckerman
Michelle D. Velasquez
1633 Broadway, 47th Floor
New York, New York 10019
Tel: (212) 407-7792
Fax: (212) 407-7799

*Attorneys for Defendants
DF Land LLC, Glenn Dubin,
Eva Dubin, and Brenda Ames*